IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 20311 of 2005(R)

PETITIONER:

THE CHITTUR HOUSING CO-OPERATIVE SOCIETY LIMITED NO.P-820, REPRESENTED BY ITS SECRETARY-IN-CHARGE, THATHAMANGALAM P.O., CHITTUR, PALAKKAD-678 102.

BY ADV. SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON
SMT.M.R.VALSA
SRI.SREEKANTH.K.R
SRI.JIBU P THOMAS

RESPONDENTS:

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1. **THE KERALA CO-OPERATIVE TRIBUNAL, THIRUVANANTHAPURAM.**

2. **THE ARBITRATOR (INSPECTOR FOR A & E NO. 1), OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL) CHITTUR, PALAKKAD.**

3. **MAHESWARI, W/O.KRISHNASWAMY.**

4. **KRISHNASWAMY, S/O.CHIPPA GOWDER, RESPONDENTS 3 AND 4 ARE RESIDING AT KANNIMARI, KOLAPPARACHATRIL, VANDITHAVALAM, CHITTUR, PALAKKAD.**

BY GOVERNMENT PLEADER SRI. BASANT BALAJI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH, J.

W.P.(C) No. 20311 2005

Dated this the 26th February, 2007.

J U D G M E N T

Exhibit-P1 Award of the Tribunal, mainly with regard to the rate of interest, is under challenge, at the instance of the Society. In view of the decision of this court reported in *Kerala State Co-operative Bank Ltd. Vs. Kerala Co-operative Tribunal* [2005 (1)KLT 572], the matter has to be considered afresh. I quash Exhibit.P1 with a direction to the 1st respondent to consider the matter afresh with notice to petitioner and respondents 2 and 3, within a period of six months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

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JUDGMENT

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13th March, 2006